



07 JAN 2008

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In re Application of
Naicker et al.
Application No.: 10/579,806
PCT No.: PCT/IB04/04060
Int. Filing Date: 10 December 2004
Priority Date: 10 December 2003
Attorney Docket No.: 06-361
For: System For Playing A Bingo-Type Game

DECISION

ON

PETITION

This is in response to the petition under 37 CFR 1.47(a) filed on 30 November 2007.

DISCUSSION

In a Decision mailed on 01 October 2007, the petition under 37 CFR 1.47(a) filed on 07 August 2007 was dismissed, without prejudice, because

The evidence presented tends to suggest that Mr. Govender may have refused to execute a declaration document after having been presented with the declaration and a copy of the application. However, while the various email communications appear to have been carried out by Ms. Tracey Clarke, petitioner has not provided a statement from her introducing the email evidence and attesting to the facts surrounding those communications, especially Exhibit G.

and because,

Regarding **requirement (3)**, the petition includes a statement of two last known addresses for Devan Govender. However, it appears that one of the addresses may be his permanent address and the other a temporary or holiday address. Insofar that the last-known address is used for purposes of providing notice of the filing to the non-signing inventor upon the grant of status under 37 CFR 1.47(a), a temporary address is inappropriate. Petitioner should clarify which address is in fact Mr. Govender's last-known permanent address.

In response, petitioner has provided a "Declaration of Tracey Clarke" clarifying the circumstances surrounding Mr. Govender's email dated 03 August 2007. Based on the totality of the evidence currently of record, it would be appropriate to conclude that Devan Govender has refused to execute the application within the meaning of 37 CFR 1.47(a).

In addition, petitioner has provided an indication of Mr. Govender's last known address. Therefore, all of the requirements of 37 CFR 1.47(a) have now been satisfied.

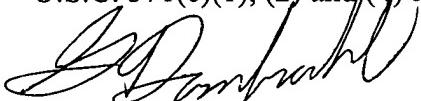
DECISION

The petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application is being returned to the National Stage Processing Branch for processing as the U.S. National Stage of the above-identified international application. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **07 August 2007**.



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Attorney Docket No.: 06-361
For: System For Playing A Bingo-Type
Game

Dear Mr. Govender:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3283. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Requests for information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1(800) 972-6382 (outside the Washington D.C. area).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of a joint inventor. The petition has been granted. A notice has been sent to the last known address of the non-signing inventor. The inventor whose signature is missing (Devan GOVENDER) may join in the application by promptly filing an appropriate oath or declaration complying with 37 CFR 1.63. The international application number is PCT/IB2004/004060 and was filed on December 10, 2004 in the names of Theo NAICKER, Tony YUNNIE, Jon HUTCHINGS and Devan GOVENDER for the invention entitled SYSTEM FOR PLAYING A BINGO-TYPE GAME. The national stage application number is 10/579,806 and has a 35 U.S.C. 371(c)(1), (2) and (4) date of August 7, 2007.